

--	--

- [Query](#)
- [Reports](#)
- [Utilities](#)
- [Logout](#)

CLOSED, STAYED, TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:11-cv-00593-RMC**

SOUTH FLORIDA WATER MANAGEMENT DISTRICT v.
UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY

Assigned to: Judge Rosemary M. Collyer
Cause: 05:552 Freedom of Information Act

Date Filed: 03/22/2011
Date Terminated: 02/09/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**SOUTH FLORIDA WATER
MANAGEMENT DISTRICT**

represented by **Cathy M. Linton**
SOUTH FLORIDA WATER
MANAGEMENT DISTRICT
3301 Gun Club Road
MSC 1410
West Plam Beach, FL 33406
(561) 682-66322
PRO HAC VICE
ATTORNEY TO BE NOTICED

James A. Byram , Jr.,
Balch & Bingham, LLP
P.O. Box 78 (36101)
105 Tallapoosa Street
Suite 200
Montgomery, AL 36104
(334) 269-3159
Fax: (866) 736-3863
Email: jbyram@balch.com
ATTORNEY TO BE NOTICED

James E. Nutt
SOUTH FLORIDA WATER
MANAGEMENT DISTRICT
3301 Gun Club Road
MSC 1410

West Plam Beach, FL 33406
(561) 682-6253
Fax: (561) 682-6276
Email: jnutt@sfwmd.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Keith William Rizzardi
SOUTH FLORIDA WATER
MANAGEMENT DISTRICT
3301 Gun Club Road
MSC 1410
West Plam Beach, FL 33406
(561) 682-6274
Fax: (561) 682-6276
Email: krizzardi@sfwmd.gov
TERMINATED: 07/14/2011
PRO HAC VICE

P. Stephen Gidiere , III
BALCH & BINGHAM LLP
1901 Sixth Avenue North
Suite 1500
Birmingham, AL 35203-4642
(205) 251-8100
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard E. Glaze , Jr.
BALCH & BINGHAM, LLP
30 Ivan Allen Jr., Boulevard
Suite 700
Atlanta, GA 30308
(404) 962-3566
Fax: (866) 661-3268
Email: rglaze@balch.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY**

represented by **Oliver W. McDaniel**
U.S. ATTORNEY'S OFFICE
Civil Division
555 4th Street, NW
Fourth Floor
Washington, DC 20530
(202) 514-7135

Fax: (202) 514-8780
Email: oliver.mcdaniel@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Cotter Rybicki
U.S. ATTORNEY'S OFFICE
555 4th Street, NW
Washington, DC 20530
(202) 353-4024
Email: david.rybicki@usdoj.gov
TERMINATED: 10/04/2011

Date Filed	#	Docket Text
03/22/2011	<u>1</u>	COMPLAINT against UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 350, receipt number 4616037396) filed by SOUTH FLORIDA WATER MANAGEMENT DISTRICT. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Civil Cover Sheet)(rdj) (Entered: 03/23/2011)
03/22/2011		SUMMONS (1) Issued as to U.S. Attorney (rdj) (Entered: 03/23/2011)
03/23/2011		SUMMONS (2) Issued as to UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and U.S. Attorney General (rdj) (Entered: 03/23/2011)
03/24/2011	<u>2</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/23/2011. Answer due for ALL FEDERAL DEFENDANTS by 4/22/2011. (Byram, James) (Entered: 03/24/2011)
03/30/2011	<u>3</u>	NOTICE of Appearance by David Cotter Rybicki on behalf of UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Rybicki, David) (Entered: 03/30/2011)
04/08/2011	<u>4</u>	MOTION to Stay <i>Deadline to Answer or Otherwise Respond to the Complaint in the Event of a Federal Government Shutdown</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Rybicki, David) (Entered: 04/08/2011)
04/11/2011		MINUTE ORDER denying <u>4</u> Defendant's motion to stay as moot. Signed by Judge Rosemary M. Collyer on 4/11/2011. (lcrmc2) (Entered: 04/11/2011)
04/13/2011	<u>5</u>	Unopposed MOTION for Extension of Time to File Answer <i>or Otherwise to Respond</i>

		<i>to the Complaint</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # 1 Text of Proposed Order)(Rybicki, David) (Entered: 04/13/2011)
04/14/2011		MINUTE ORDER granting 5 Defendant's unopposed motion for an extension of time. Defendant shall answer or otherwise respond to the Complaint by no later than May 6, 2011. Signed by Judge Rosemary M. Collyer on 4/14/2011. (lcrmc2) (Entered: 04/14/2011)
04/14/2011		Set/Reset Deadlines/Hearings: Answer to Complaint due by 5/6/2011. (cdw) (Entered: 04/14/2011)
04/15/2011	6	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- James A. Byram, Jr., :Firm- Balch & Bingham LLP, :Address- PO Box 78, Montgomer, AL 36101. Phone No. - 334-834-6500. Fax No. - 334-269-3115 <i>Motion for the Admission Pro Hac Vice of Richard E. Glaze, Jr., Cathy M. Linton, Keith W. Rizzardi, and P. Stephen Gidiere III</i> by SOUTH FLORIDA WATER MANAGEMENT DISTRICT (Attachments: # 1 Text of Proposed Order Proposed Order of Admission, # 2 Exhibit Declaration in Support of Richard E. Glaze, Jr, # 3 Exhibit Declaration in Support of Cathy M. Linton, # 4 Exhibit Declaration in Support of Keith W. Rizzardi, # 5 Exhibit Declaration in Support of P. Stephen Gidiere III)(Byram, James) (Entered: 04/15/2011)
04/15/2011		MINUTE ORDER granting 6 Plaintiff's motion for leave for counsel to appear pro hac vice before this Court. Attorneys Richard E. Glaze, Jr., Cathy M. Linton, Keith W. Rizzardi, and P. Stephen Gidiere III are hereby admitted pro hac vice in this matter. Signed by Judge Rosemary M. Collyer on 4/15/2011. (lcrmc2) (Entered: 04/15/2011)
05/06/2011	7	ANSWER to 1 Complaint, by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.(Rybicki, David) (Entered: 05/06/2011)
05/09/2011		MINUTE ORDER. By no later than May 31, 2011, the parties shall file a joint proposed briefing schedule. Signed by Judge Rosemary M. Collyer on 5/9/2011. (lcrmc2) (Entered: 05/09/2011)
05/09/2011		Set/Reset Deadline: joint proposed briefing schedule due by 5/31/2011. (tth) (Entered: 05/09/2011)
05/12/2011	8	<i>First Amended</i> ANSWER to Complaint by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.(Rybicki, David) (Entered: 05/12/2011)
05/26/2011	9	MOTION for Extension of Time to <i>File Joint Briefing Schedule</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # 1 Text of Proposed Order)(Rybicki, David) (Entered: 05/26/2011)

05/27/2011	<u>1</u> <u>0</u>	Memorandum in opposition to re <u>9</u> MOTION for Extension of Time to <i>File Joint Briefing Schedule</i> filed by SOUTH FLORIDA WATER MANAGEMENT DISTRICT. (Rizzardi, Keith) (Entered: 05/27/2011)
05/31/2011		MINUTE ORDER. Defendant shall respond to the points raised in Plaintiff's opposition <u>10</u> by Friday June 3, 2011. Signed by Judge Rosemary M. Collyer on 5/31/2011. (lcrmc2) (Entered: 05/31/2011)
06/01/2011	<u>1</u> <u>1</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- James E. Nutt, :Firm- South Florida Water Management District, :Address- 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406. Phone No. - (561) 682-6253. Fax No. - (561) 682-6276 by SOUTH FLORIDA WATER MANAGEMENT DISTRICT (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Byram, James) (Entered: 06/01/2011)
06/02/2011		MINUTE ORDER granting <u>11</u> Plaintiff's motion for leave for counsel to appear pro hac vice. Attorney James E. Nutt is hereby admitted pro hac vice to represent Plaintiff in this matter. Signed by Judge Rosemary M. Collyer on 6/2/2011. (lcrmc2) (Entered: 06/02/2011)
06/03/2011	<u>1</u> <u>2</u>	REPLY to opposition to motion re <u>9</u> MOTION for Extension of Time to <i>File Joint Briefing Schedule</i> filed by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Attachments: # <u>1</u> Declaration of LouAnn Gross, w/ Exhs.)(Rybicki, David) (Entered: 06/03/2011)
06/06/2011		MINUTE ORDER granting <u>9</u> Defendant's motion for an extension of time. The parties shall file a joint proposed briefing schedule by June 7, 2011. Signed by Judge Rosemary M. Collyer on 6/6/2011. (lcrmc2) (Entered: 06/06/2011)
06/07/2011	<u>1</u> <u>3</u>	NOTICE of Filing of Joint Proposed Briefing Schedule by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Declaration of LouAnn Gross w/ Exh. A)(Rybicki, David) (Entered: 06/07/2011)
06/13/2011		MINUTE ORDER. Plaintiff and EPA disagree on timing for final release of documents subject to a FOIA request. After reviewing the parties' positions <u>13</u> , the Court ORDERS EPA to produce all requested records, on a rolling basis, by no later than July 29, 2011, without regard to where the records are located. As needed, a Vaughn index shall be provided with the released records. The Deputy Clerk shall set a status conference for a date soon after July 29, 2011. Signed by Judge Rosemary M. Collyer on 6/13/2011. (lcrmc2) (Entered: 06/13/2011)
06/15/2011		NOTICE of Hearing: A Status Conference is set for 8/1/2011 at 10:15 AM in Courtroom 8 before Judge Rosemary M. Collyer. (cdw) (Entered: 06/15/2011)

07/14/2011	<u>1</u> <u>4</u>	Notice of Withdraw as Attorney by <i>Keith W. Rizzardi</i> by SOUTH FLORIDA WATER MANAGEMENT DISTRICT (Nutt, James) Modified on 7/14/2011 to correct event(rdj). (Entered: 07/14/2011)
07/20/2011	<u>1</u> <u>5</u>	Joint MOTION for Extension of Time to <i>Extend Document Production Deadline & to Reschedule Status Conference</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Rybicki, David) (Entered: 07/20/2011)
07/21/2011		MINUTE ORDER granting <u>15</u> joint motion for an extension of time. Defendant shall produce all requested records, on a rolling basis, by no later than September 9, 2011. As needed, a Vaughn index shall be provided with the released records. It is further ORDERED that the status conference set for August 1, 2011 at 10:15 am is hereby VACATED. The Deputy Clerk shall reset the status conference for a date after September 9, 2011. Signed by Judge Rosemary M. Collyer on 7/21/2011. (lcrmc2) (Entered: 07/21/2011)
07/25/2011		NOTICE of Hearing: A Status Conference is set for 9/14/2011 at 10:30 AM in Courtroom 8 before Judge Rosemary M. Collyer. (cdw) (Entered: 07/25/2011)
08/30/2011	<u>1</u> <u>6</u>	Joint MOTION for Extension of Time to <i>Extend Document Production Deadline & to Reschedule Status Conference</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Rybicki, David) (Entered: 08/30/2011)
08/30/2011		MINUTE ORDER granting <u>16</u> joint motion for an extension of time. Defendant shall produce all requested records, on a rolling basis, by no later than November 9, 2011. As needed, a Vaughn index shall be provided with the released records. It is further ORDERED that the status conference set for September 14, 2011 at 10:30 am is hereby VACATED. The Deputy Clerk shall reset the status conference for a date after November 9, 2011. Signed by Judge Rosemary M. Collyer on 8/30/2011. (lcrmc2) (Entered: 08/30/2011)
08/31/2011		NOTICE of Hearing: A Status Conference is set for 11/18/2011 at 10:00 AM in Courtroom 8 before Judge Rosemary M. Collyer. (cdw) (Entered: 08/31/2011)
10/04/2011	<u>1</u> <u>7</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Oliver W. McDaniel on behalf of UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Substituting for attorney AUSA David C. Rybicki (McDaniel, Oliver) (Entered: 10/04/2011)
11/07/2011		MINUTE ORDER suspending all deadlines and staying this case. The courtroom deputy shall make arrangements for a telephone conference to be held in late January 2012. Signed by Judge Rosemary M. Collyer on 11/7/2011. (lcrmc2) (Entered: 11/07/2011)
11/07/2011		Case Stayed (cdw) (Entered: 11/07/2011)

02/08/2012	<u>1</u> <u>8</u>	STIPULATION of Dismissal by SOUTH FLORIDA WATER MANAGEMENT DISTRICT, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (McDaniel, Oliver) (Entered: 02/08/2012)
02/09/2012		MINUTE ORDER accepting the parties' <u>18</u> Stipulation of Dismissal without prejudice. This case is closed. Signed by Judge Rosemary M. Collyer on 2/9/2012. (lcrmc2) (Entered: 02/09/2012)

PACER Service Center

Transaction Receipt

02/10/2012 09:12:30

PACER Login:	pb0232	Client Code:	foiaproj
Description:	Docket Report	Search Criteria:	1:11-cv-00593-RMC
Billable Pages:	4	Cost:	0.32